

Remarks

The following remarks are submitted to address the issues raised in the Office Action mailed September 24, 2004.

Claims 1-7 and 11-62 are pending in the present application.

Claims 2-7, 11, 13-17, 19, 21-27, 29, 31-40, and 46-60 are held withdrawn.

Claims 8-10 are canceled.

Claims 1, 41-45, 61 and 62 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese patent 7-51550 to Hamada et al.

Claims 12, 18, 20, 28, and 30 were considered to be allowable by the Examiner but were objected to as being dependent on a rejected claim.

No new matter has been added. The foregoing rejections and other items in the Office Action are addressed in the following paragraphs. Consideration of the pending claims is respectfully requested in view of the following comments.

Amendments

The claims have not been amended from the form submitted in the Office Action Response filed June 15, 2004.

Claims 1, 41-45, 61, and 62 - 35 U.S.C. § 112, second paragraph

Applicants respectfully traverse the rejection of claims 1, 41-45, 61, and 62 under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 61 and 62 ultimately depend from claim 1. In claims 61 and 62, the R₄ group includes aryl groups disubstituted with groups of the formula -L-C₁-C₆-alkyl-N(alkyl)₂.

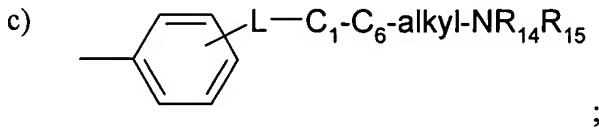
Contrary to the Examiner's statements, the R₄ group in claims 61 and 62 falls within the scope of claim 1. In claim 1, the R₄ group includes aryl groups substituted with at least one group of the formula -L-C₁-C₆-alkyl-NR₁₄R₁₅. As recited in claim 1, the aryl group in R₄ may be further substituted with a group of the formula -Y-C₁₋₆-alkyl-NR₁₄R₁₅, where the L and Y groups are similarly defined. (See page 9 of this Response).

Thus, claims 61 and 62 fall within the scope of claim 1, and Applicants respectfully request that the rejection of claims 1, 41-45, 61, and 62 as being indefinite be withdrawn.

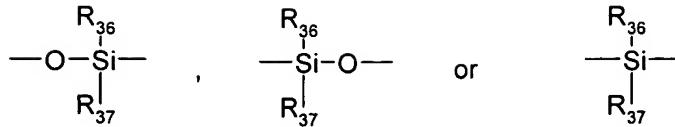
Claim 1 - 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Japanese patent 7-51550 to Hamada et al. that discloses [1-[[[4-[[2-(dimethylamino)ethyl]ethylamino]phenyl]amino]carbonyl]-3-methylbutyl]-carbamic acid phenylmethyleneester ("Hamada carbamic acid"). Applicants submit that the compounds disclosed in Hamada do not fall within the scope of the genus of compounds recited in claim 1.

For example, the Hamada carbamic acid does not fall within the scope of the genus of compounds recited in claim 1. Referring to claim 1, the compound of Formula (I) contains an R₄ group that may be of the formula



wherein L is -CH₂-, -O-, -N(H)-, -S-, SO₂-, -CON(H)-, -NHC(O)-, -NHCON(H)-, -NHSO₂-, -SO₂N(H)-, -C(O)-O-, -NHSO₂NH-, -O-CO-,



The L group does not include a disubstituted amino group.

Further, the aryl group in R₄ may be optionally substituted with a group of the formula: -Y-C₁₋₆-alkyl-NR₁₄R₁₅, or -Y-C₁₋₆-alkyl-W-R₁₆. The Y group does not include a disubstituted amino group. (See pp. 8-9 of this Response).

The Hamada carbamic acid contains a dialkyl substituted amino group at the same relative position as the L or Y groups in R₄ of claim 1.

Thus, the compounds disclosed in Hamada do not fall within the scope of claim 1, and Applicants respectfully request that the rejection of claim 1 as anticipated by Hamada be withdrawn.

Claims 12, 18, 20, 28, and 30 - Objection

Claims 12, 18, 20, 28, and 30 were considered to be allowable by the Examiner but were objected to as being dependent on a rejected claim. Applicants respectfully traverse the objection to claims 12, 18, 20, 28, and 30.

Claims 12, 18, 20, 28, and 30 depend from claims 1 and 61. As described above, Applicants have traversed each and every rejection of claims 1 and 61.

Fees

This complete response is being filed within 3 months of the mailing of the Office Action of September 24, 2004. As a result, no fee is believed to be due.

Conclusion

In conclusion, Applicants request consideration of the Remarks, and passage of the application to issuance.

Respectfully submitted,

Date: Oct. 22, 2004

By:


Samuel B. Rollins
Reg. No. 52,180

TransTech Pharma, Inc.
4170 Mendenhall Oaks Pkwy
High Point, NC 27265
Ph: 336-841-0300 ext. 159
Fax: 336-841-0310